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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,832	06/18/2001	Katashi Nagao	450101-02581	3748
20999	7590	12/19/2005		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER AZAD, ABUL K	
			ART UNIT 2654	PAPER NUMBER

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/763,832

Applicant(s)

NAGAO, KATASHI

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Continuation of Disposition of Claims: Claims pending in the application are 1,2,4-8,10,12-20,22-26,28,30-40,42-45,47-49,51-54,56,131-133,135-139,141-152,154-158,160-171,173-178,180,181,183-188 and 190.

Continuation of Disposition of Claims: Claims rejected are 1,2,4-8,10,12-20,22-26,28,30-40,42-45,47-49,51-54,56,131-133,135-139,141-152,154-158,160-171,173-178,180,181,183-188 and 190.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on October 4, 2005.
2. Claims 1, 2, 4-8, 10, 12-20, 22-26, 28, 30-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180-181, 183-188 and 190 are pending in this action.
3. The applicant's arguments with respect to claims 1, 2, 4-8, 10, 12-20, 22-26, 28, 30-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180-181, 183-188 and 190 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant's arguments or comments, see the detailed discussion in the Response to the Arguments section.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 4-8, 10-20, 22-26, 28-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181, 183-188 and 190 are rejected under 35 U.S.C. 103(a) as being unpatentable over Socher et al. (US 6,446,040) in view of Holm et al. (US 5,850,629).

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As per claim 1, Socher teaches, "an electronic document processing apparatus for processing an electronic document", comprising:

"document inputting means fed with an electronic document" (Fig. 1, element 104);

"wherein tag information indicating the inner structure of said electronic document of a hierarchical structure having a plurality elements is added to said electronic document" (col. 2, lines 19-65)

"speech read-out data generating means for generating speech read-out data for reading out by a speech synthesizer based on said electronic document" (Fig. 1, elements 114, 116 and 118);

"wherein said speech read-out data generating means adds to said electronic document, attribute information specifying beginning position of paragraph, sentences and phrases making up the electronic document to generate said speech read-out data" (col. 7, lines 63-67).

Socher does not explicitly teach, attribute information specifying beginning position of paragraph, sentences and phrases making up the electronic document and associated pause periods. However, Holm teaches, "attribute information specifying beginning position of paragraph, sentences and phrases making up the electronic document and associated pause periods" (Fig. 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Holm's teaching in the invention of Socher because Holm teaches in invention provides

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synthesized speech with smooth and continuous sound with appropriate pauses and inflections added to simulated natural speech (col. 1, lines 6-39).

As per claim 2, Socher teaches, "wherein said speech read-out data generating means adds the tag information necessary for reading out in said speech synthesizer to said electronic document" (col. 2, lines 59-65).

As per claim 4, Socher teaches, "wherein the tag information indicating at least paragraphs, sentences and phrases, among a plurality of elements making up the electronic document, is added to the electronic document" (col. 7, lines 59-65); and

"wherein said speech read-out data generating means discriminates the paragraphs, sentences and phrases making up the electronic document based on the tag information indicating said paragraphs, sentences and phrases" (col. 2, lines 47-58).

As per claim 5, Socher teaches, "wherein the tag information necessary for reading out by said speech synthesizer is added to said electronic document" (col. 2, lines 59-65).

As per claim 6, Socher teaches, "wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information for inhibiting the reading out" (col. 2, lines 37-58).

As per claim 7, Socher teaches, "wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information indicating the pronunciation" (col. 2, lines 37-58).

As per claim 8, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the

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language with which the electronic document is formed to generate said speech read-out data" (col. 8, lines 13-14).

As per claim 10, Socher teaches, "wherein if the attribute information representing a homologous syntactic structure among the attribute information specifying the beginning positions of the paragraphs, sentences and phrases appear in succession in said electronic document, said speech read-out data generation means unifies said attribute information appearing in succession into one attribute information" (col. 3, lines 39-43 and col. 7, lines 63-67).

As per claim 11, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying pause periods in association with the attribute information specifying the beginning positions of the paragraphs, sentences and phrases to generate said speech read-out data" (col. 3, lines 39-43 and col. 7, lines 63-67).

As per claim 12, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying a read-out inhibited portion to generate said speech read-out data" (col. 2, lines 47-58).

As per claim 13, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the correct reading or pronunciation to generate said speech read-out data" (col. 2, lines 47-65).

As per claim 14, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the read-out sound volume to generate said speech read-out data" (Fig. 4, element 202).

As per claim 15, Scher teaches, "processing means for performing the processing suited to a speech synthesizer using said speech read-out data" (col. 3, lines 44-50);

"said processing means selecting the speech synthesizer based on the attribute information added to said speech read-out data for indicating the language with which said electronic document is formed" (col. 8, lines 13-14).

As per claim 16, Socher teaches, "processing means for performing the processing suited to a speech synthesizer using said speech read-out data" (Fig. 1);

"said processing means finding the absolute read-out sound volume based on the attribute information added to said speech read-out data indicating the read-out sound volume" (Fig. 4, element 202).

As per claim 17, Socher teaches, "document read-out means for reading said electronic document out based on said speech read-out data" (Fig. 1, element 118).

As per claim 18, Socher teaches, "wherein said document read-out means locates in terms of paragraphs, sentences and phrases making up said electronic document as unit, based on the attribute information indicating the beginning positions of said paragraphs, sentences and phrases among plural elements" (col. 3, lines 39-43 and col. 7, lines 63-67).

As per claims 19, 20, 22-26, 28-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181 183-188 and 190 they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1, 2, 4-8, 10-18.



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***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 2, 4-8, 10-20, 22-26, 28-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181 183-188 and 190 have been considered but are moot in view of the new ground(s) of rejection.

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(571) 272-7602**.

Any response to this action should be mailed to:

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

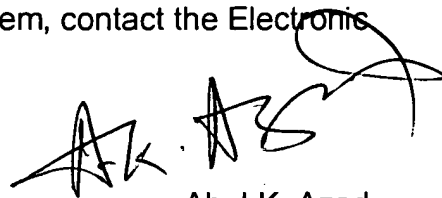
Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 14, 2005

A handwritten signature in black ink, appearing to read 'A.K. Azad', with a large, stylized flourish extending from the end of the signature.

Abul K. Azad  
Primary Examiner  
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